

Hearing Date and Time: October 25, 2007 at 10:00 a.m.  
Response Date and Time: October 18, 2007 at 4:00 p.m.

**PEPPER HAMILTON LLP**  
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Philadelphia, PA 19103  
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*Attorneys for Teleflex Automotive Manufacturing Corporation*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re	)	
	)	Chapter 11
<b>DELPHI CORPORATION, <i>et al.</i>,</b>	)	
	)	Case Nos. 05-44481 (RDD)
Debtors.	)	
	)	Jointly Administered
	)	

**RESPONSE OF TELEFLEX AUTOMOTIVE MANUFACTURING CORPORATION.  
TO DEBTORS' TWENTY-FIRST OMNIBUS CLAIMS OBJECTION**

Teleflex Automotive Manufacturing Corporation ("Teleflex "), by and through its undersigned counsel, responds to the Debtors' Twenty-First Omnibus Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr.P. 3007 to Certain (A) Duplicate or Amended Claims, (B) Untimely Equity Claim, (C) Insufficiently Documented Claims, and (D) Claims Not Reflected On Debtors' Books and Records, (E) Untimely Claims, and (F) Claims Subject To Modification, Tax Claim Subject To Modification, and Modified Claims Asserting Reclamation (the "Objection"). With respect to Teleflex 's claim, the claim is designated in Exhibit F-3 of the Objection as a Modified Claim Asserting Reclamation. In the Objection, the Debtors seek to modify Teleflex 's claim from the filed amount of \$212,632.48 (which amount includes a secured portion in the amount of \$64,731.84 and an unsecured portion in the amount of \$147,900.64) to a modified claim in the total amount of \$181,558.42 (which amount includes a

secured portion in the amount of \$4,315.42 and an unsecured portion in the amount of \$177,243). In support of the full amount of its claim, Teleflex states as follows:

1. The Debtors commenced these Chapter 11 cases on October 8, 2005 (the “Petition Date”).
2. Prior to the Petition Date, Teleflex sold and delivered goods (the “Goods”) on credit to the Debtors. The indebtedness owed by the Debtors for the Goods as of the Petition Date was \$212,632.48, including goods in the total amount of \$64,731.84 as to which Teleflex timely served a notice of reclamation and which amount is subject to a state law vendor’s lien (the “Indebtedness”).
3. On or about January 31, 2006, Teleflex filed a timely proof of claim, designated as Claim No. 1728, asserting a claim in the total amount of the Indebtedness. Due to the number of invoices that remained unpaid as of the Petition Date, attached to the proof of claim was a spreadsheet setting forth a list of all unpaid invoices.

#### **ARGUMENT**

4. A proof of claim executed and filed according to the requirements of Bankruptcy Rule 3001(f) constitutes *prima facie* evidence of the validity and amount of the claim. Fed.R.Bankr.P. 3001(f). “The interposition of an objection does not deprive the proof of claim of presumptive validity unless the objection is supported by *substantial evidence*.” In re Hemingway Transport, Inc., 993 F.2d 915, 925 (1<sup>st</sup> Cir.1993).

5. Rule 3001(a) requires that the proof of claim be a written statement setting forth a creditor’s claim, in a form substantially conforming to the appropriate Official Form. Rule 3001(c) requires that a claim based on a writing include a copy of the writing thereto.

6. Claim No. 1728 substantially conforms to the Official Form, is signed by a representative of Teleflex, and sets forth the exact dollar amount owed as of the Petition Date. A spreadsheet listing all invoices upon which the claim is based are attached thereto.

7. Having satisfied the requirements of Bankruptcy Rule 3001, Claim No. 1728 constitutes *prima facie* evidence of the validity and amount of the claim.

8. The Debtors have provided no evidence, let alone substantial evidence, to support the Objection; therefore, the Objection should be overruled and Teleflex's claim should be allowed as filed.

9. Any reply by the Debtors to this Response should be delivered to the undersigned counsel for Teleflex. The following person has ultimate authority to reconcile, settle or otherwise resolve Claim No. 1728 on behalf of Teleflex :

Anne Marie Aaronson  
3000 Two Logan Square  
18<sup>th</sup> and Arch Streets  
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(215) 981-4000

WHEREFORE, Teleflex Automotive Manufacturing Corporation respectfully requests that the Court overrule the Objection and grant all other proper relief.

**PEPPER HAMILTON LLP**

  
\_\_\_\_\_  
/s/ Anne Marie Aaronson

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 12, 2007, copies of the  
Response of Teleflex Automotive Manufacturing Corporation To Debtors' Twenty-First  
Omnibus Claims Objection were served on the following individuals in the manner specified.

Delphi Corporation  
5725 Delphi Drive  
Troy, MI 48098  
Attn: General Counsel  
(Via Overnight Courier)

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**PEPPER HAMILTON LLP**



/s/ Anne Marie Aaronson

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Dated: October 12, 2007